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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/591,173	08/30/2006	Kazutomi Mori	1163-0581PUS1	6041
2292 7590 06/16/2008 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
EXAMINER				
NGUYEN, PATRICIA T				
ART UNIT		PAPER NUMBER		
2817				
NOTIFICATION DATE		DELIVERY MODE		
06/16/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/591,173

Applicant(s)

MORI ET AL.

Examiner

PATRICIA T. NGUYEN

Art Unit

2817

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,3,6-10,12 is/are rejected.
- 7) ☒ Claim(s) 2,4,5,11,13 and 14 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/CD/CC)
- Paper No(s)/Mail Date 8/30/06
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date ____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Hareyama, U.S. Patent # 6,700,440 B2.

Figs. 2A and 3 of Hareyama discloses a circuit comprising: an amplifying device (PA(1), PA(2)) for amplifying an input signal and outputting an amplified signal, said amplifying device having a single stage or multiple stage configuration; a matching circuit (2) connected between a final stage amplifying element and an output terminal; and matching condition changing means (cont(2) for changing a matching condition of said matching circuit in response to output power of the amplifying device (see spec., abstract and col. 4, lines 46-49).

Regarding claim 12, drain voltage controlling means 11 can be read as voltage control means.

Claims 1, 3, 7, and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Hareyama, U.S. Patent # 6,538,506 B2.

Figs. 1, 3, and 4 of Hareyama discloses a circuit comprising: an amplifying device (1) for amplifying an input signal and outputting an amplified signal, said

Art Unit: 2817

amplifying device having a single stage or multiple stage configuration; a matching circuit (switch 3, antenna switch) connected between a final stage amplifying element and an output terminal; and matching condition changing means (8) for changing a matching condition of said matching circuit in response to output power of the amplifying device.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hareyama, U.S. Patent # 6,700,440 B2 in view of Yamaguchi et al., U.S. Patent # 6,130,589.

Although Hareyama does not have a capacitor connected in parallel with the bias feed circuit, Yamaguchi et al. teaches the use of a capacitor connected in parallel with the bias feed circuit. Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to use the teaching of Yamaguchi et al. to the circuit of Hareyama of having a bypass capacitor in parallel with the bias feed circuit in order to have an optimum working condition for the circuit since this is a well known way of constructing a reliable collector bias feed circuit in the art.

Claims 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hareyama, U.S. Patent # 6,700,440 B2.

Although Hareyama does not mention what his switch in the impedance circuit is made from, it is well known in the art that a switch can be made from a pin diode, a transistor, or a mechanical switch. Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to use a pin diode, a transistor, or a mechanical switch for a switch in order to meet system requirements since this is a matter of design choice.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hareyama, U.S. Patent # 6,538,506 B2 in view of Yamaguchi et al., U.S. Patent # 6,130,589.

Although Hareyama does not have a capacitor connected in parallel with the bias feed circuit, Yamaguchi et al. teaches the use of a capacitor connected in parallel with the bias feed circuit. Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to use the teaching of Yamaguchi et al. to the circuit of Hareyama of having a bypass capacitor in parallel with the bias feed circuit in order to have an optimum working condition for the circuit since this is a well known way of constructing a reliable collector bias feed circuit in the art.

Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hareyama, U.S. Patent # 6,538,506 B2.

Although Hareyama does not mention what his switch in the impedance circuit is a transistor switch or a mechanical switch, it is well known in the art that a switch can be made from a pin diode, a transistor, or a mechanical switch. Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to use a transistor, or a mechanical switch for a switch in Hareyama circuit in order to meet system requirements since this is a matter of design choice.

Allowable Subject Matter

Claims 2, 4, 5, 11, 13, and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U. S. Patents # 6,927,625 B2, # 6,566,944 B1, and # 6,522,201 B1 contain some limitations of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PATRICIA T. NGUYEN whose telephone number is (571)272-1768. The examiner can normally be reached on 6:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on 571-272-1769. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2817

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PTN

June 9, 2008

/Patricia T Nguyen/

Primary Examiner, Art Unit 2817